Vulcan Golf, LLC v. Google Inc. et al Doc. 169 Att. 1

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

VULCAN GOLF, LLC, JOHN B. SANFILIPPO & SON, INC., BLITZ REALTYGROUP, INC., and VINCENT E. "BO" JACKSON, Individually and on Behalf of All Others Similarly Situated,	§	Civil Action No. 07 CV 3371
Lead Plaintiffs,	§	Honorable Blanche M. Manning
v.	§	Magistrate Judge Geraldine Soat Brown
GOOGLE INC., OVERSEE.NET, SEDO LLC, DOTSTER, INC., AKA REVENUEDIRECT.COM, INTERNET REIT, INC. d/b/a IREIT, INC., and JOHN DOES I-X,	§	
Defendants.	§	

PLAINTIFFS' AGREED MOTION FOR LEAVE TO FILE *INSTANTER* BRIEF IN EXCESS OF PAGE LIMITATION

NOW COME Plaintiffs, Vulcan Golf, LLC, John B. Sanfilippo & Son, Inc., Blitz Realty Group, Inc., and Vincent E. "Bo" Jackson, by and through their attorneys, and as for their Agreed Motion for Leave to File *Instanter* Brief in Excess of Page Limitation, state as follows:

1. On April 30, 2008, this Court granted Defendants' motion for leave to file a brief in excess of 15 pages. Defendants' requested this Court allow Defendants to file a brief of "no more than thirty-five (35) pages to support their Consolidated Motion to Dismiss the Third Amended Complaint." (A copy of the Court's April 30, 2008 Order is attached as Exhibit A.)

2. On May 2, 2008, Defendants filed a consolidated Motion to Dismiss the Third Amended Class Action Complaint and a Memorandum in Support of its Consolidated Motion to Dismiss the Third Amended Class Action Complaint.

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3. The total number of pages in Defendants' Memorandum in Support of its Consolidated Motion to Dismiss the Third Amended Class Action Complaint is thirty-two (32) pages.

4. Given the total length of Defendants' Memorandum in Support of its Consolidated Motion to Dismiss the Third Amended Class Action Complaint, Plaintiffs will require additional pages to properly address all arguments asserted by Defendants.

5. Defendants have agreed to allow Plaintiffs to file a response to Defendants' consolidated Motion to Dismiss the Third Amended Class Action Complaint the same length as Defendants' Memorandum in Support of its Consolidated Motion to Dismiss the Third Amended Class Action Complaint.

6. Plaintiffs file this Motion in accordance with United States District Court, Northern District of Illinois Local Rule 7.1.

7. Accordingly, Plaintiffs request leave to file a thirty-two (32) page response to Defendants' Consolidated Motion to Dismiss, equaling the total number of pages (32) of Defendants' Memorandum in Support of its Consolidated Motion to Dismiss the Third Amended Class Action Complaint.

8. Defendants would not be unfairly prejudiced by the Court granting Plaintiffs leave to file a brief totaling thirty-two (32) pages.

WHEREFORE, Plaintiffs hereby move this Honorable Court to enter an Order allowing the following relief:

1. Granting leave to Plaintiffs to file a Response to Defendants' Consolidated Motion to Dismiss totaling thirty-two (32) pages, *instanter*;

2. Any other relief as appropriate and just.

Dated: May 16, 2008

FOOTE, MEYERS, MIELKE & FLOWERS, LLC

By: /s/ Robert M. Foote

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EXHIBIT A

UNITED STATES DISTRICT COURT
FOR THE Northern District of Illinois – CM/ECF LIVE, Ver 3.1.3
Eastern Division

Vulcan Golf, LLC, et al.
Plaintiff,
v.
Google Inc., et al.
Defendant.

Case No.: 1:07–cv–03371
Honorable Blanche M. Manning

NOTIFICATION OF DOCKET ENTRY

This docket entry was made by the Clerk on Wednesday, April 30, 2008:

MINUTE entry before Judge Honorable Blanche M. Manning: Defendants' agreed motion for leave to file brief in excess of page limitation [162] is granted.Mailed notice(rth,)

ATTENTION: This notice is being sent pursuant to Rule 77(d) of the Federal Rules of Civil Procedure or Rule 49(c) of the Federal Rules of Criminal Procedure. It was generated by CM/ECF, the automated docketing system used to maintain the civil and criminal dockets of this District. If a minute order or other document is enclosed, please refer to it for additional information.

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
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VULCAN GOLF, LLC, JOHN B. SANFILIPPO & SONS, INC., BLITZ REALTY GROUP, INC., and VINCENT E. "BO" JACKSON, Individually and on Behalf of All Others Similarly Situated,	) Civil Action No. 07 CV 3371
Lead Plaintiffs,	) Honorable Blanche M. Manning
v.	) Magistrate Judge Geraldine Soat Brown
GOOGLE INC., OVERSEE.NET, SEDO LLC, DOTSTER, INC., AKA REVENUEDIRECT.COM, INTERNET REIT, INC. d/b/a IREIT, INC., and JOHN DOES I-X,	)
Defendants.	)

CERTIFICATE OF SERVICE

I hereby certify that on May 16, 2008, I electronically filed the foregoing document with the clerk of court for the U. S. District Court, Northern District of Illinois, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the following attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means:

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/s/Robert M. Foote